

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

TWENTY-SECOND DAY'S PROCEEDINGS

**Thirty-first Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Wednesday, June 1, 2005

The House of Representatives was called to order at 2:00 P.M.,
by the Honorable Joe R. Salter, Speaker of the House of
Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their
names:

PRESENT

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Shepherd
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.D.—50th
Cazayoux	Jefferson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth

Durand
Erdey
Fannin
Farrar
Total - 105

McDonald
McVea
Montgomery
Morrell

White
Winston
Wooton
Wright

ABSENT

Total - 0

The Speaker announced that there were 105 members present
and a quorum.

Prayer

Prayer was offered by Pastor Kim Winston.

Pledge of Allegiance

Rep. Morrell led the House in reciting the Pledge of Allegiance
to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Montgomery, the reading of the Journal was
dispensed with.

On motion of Rep. Pinac, the Journal of May 31, 2005, was
adopted.

**Introduction of Resolutions,
House and House Concurrent**

The following members introduced the following entitled House
and House Concurrent Resolutions, which were read the first time by
their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 71—

BY REPRESENTATIVE GALLOT

A RESOLUTION

To commend Dr. Mildred Bernice Gauthier Gallot for her
outstanding accomplishments and to express appreciation for
the pride she brings to her family, friends, students, colleagues,
community, and the state of Louisiana.

Read by title.

On motion of Rep. Gallot, and under a suspension of the rules,
the resolution was adopted.

HOUSE RESOLUTION NO. 72—

BY REPRESENTATIVE JOHN SMITH

A RESOLUTION

To commend the W. D. West House of Care in DeRidder.

Read by title.

On motion of Rep. John Smith, and under a suspension of the
rules, the resolution was adopted.

HOUSE RESOLUTION NO. 73—

BY REPRESENTATIVE JOHN SMITH

A RESOLUTION

To commend Mr. and Mrs. Robert Vernon Bolton of Slagle as they
celebrate fifty years of marriage and to recognize the example
their lives have provided to their family and community.

Read by title.

On motion of Rep. John Smith, and under a suspension of the
rules, the resolution was adopted.

Page 2 HOUSE

22nd Day's Proceedings - June 1, 2005

HOUSE RESOLUTION NO. 74—

BY REPRESENTATIVE MCVEA

A RESOLUTION

To amend and readopt House Rule 6.2 of the Rules of Order of the House of Representatives to provide that the removal of a chairman of a standing committee requires the approval of a majority of the elected members of the House of Representatives.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 75—

BY REPRESENTATIVE WALSWORTH

A RESOLUTION

To express sincere and heartfelt condolences upon the death of Brian Everett Smith.

Read by title.

On motion of Rep. Walsworth, and under a suspension of the rules, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 154—

BY REPRESENTATIVES SALTER AND GALLOT

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the legislature upon the death of John Sidney Garrett and to record for posterity the enduring appreciation of the citizens of Louisiana for the singular contributions and achievements of Mr. Garrett, particularly during his twenty-four-year tenure as a distinguished member of and four-year term as Speaker of the House of Representatives of the Legislature of Louisiana.

Read by title.

On motion of Rep. Salter, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

House and House Concurrent Resolutions

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

HOUSE RESOLUTION NO. 70—

BY REPRESENTATIVE HEBERT

A RESOLUTION

To amend and readopt House Rule 9.10(H) of the Rules of Order of the House of Representatives to provide that the motions for the previous question and for the previous question on the entire subject matter are out of order under certain circumstances.

Read by title.

Under the rules, the above resolution was referred to the Committee on House and Governmental Affairs.

Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

SENATE BILL NO. 3—

BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 51:1787(I) and to enact R.S. 47:1561.2(A)(4) and R.S. 51:2457(D), relative to tax credit and rebate incentives; to require audits of certain credits and incentives; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

SENATE BILL NO. 26—

BY SENATORS MCPHERSON AND HINES

AN ACT

To enact R.S. 47:297(N), relative to individual income tax; to provide a credit for certain amounts related to living organ donation; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

SENATE BILL NO. 96—

BY SENATORS SCHEDLER AND NEVERS

AN ACT

To amend and reenact R.S. 47:1705(B), 1987, and 1992(A)(1), relative to notices related to ad valorem property taxes; to provide for the notice to be given to taxpayers concerning certain property tax assessments and increases in millage rates without voter approval; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

SENATE BILL NO. 104—

BY SENATOR ADLEY

AN ACT

To amend and reenact the introductory paragraph of R.S. 51:2452(A) and 2453(2)(f)(i), relative to the Louisiana Quality Jobs Program Act; to provide an additional category for inclusion in the Louisiana Quality Jobs Program Act; to allow physician-based industries to participate in the Louisiana Quality Jobs Program Act; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

SENATE BILL NO. 108—

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 47:1705(B), relative to information provided regarding millage rates; to require certain notice to the public in any year in which a tax recipient body intends to consider the levy of additional or increased millage rates without voter approval; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

SENATE BILL NO. 136—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 47:1125.1(A) and (D), relative to tax credits; to provide for an extension of certain employment tax credits and make them transferable; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

SENATE BILL NO. 164—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 47:1703(A)(2) and (B), relative to the homestead exemption; to provide for the date upon which the homestead may be claimed; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

SENATE BILL NO. 185—

BY SENATOR CRAVINS

AN ACT

To enact R.S. 42:851(O), relative to health and accident insurance programs for the office of group benefits; to provide with regard to the applicability of certain requirements to certain employees; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

SENATE BILL NO. 193—

BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 47:115(A)(3) and (C) and 1624 (A), relative to individual income tax; to provide for the payment of interest on credited overpayments; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

SENATE BILL NO. 322—

BY SENATOR FONTENOT

AN ACT

To enact R.S. 47:6020, relative to income tax credits; to provide relative to environmental economic development incentives; to provide for income tax credits for brownfields investors; to provide for definitions; to provide for certification of such brownfields projects; to provide for the administration, amount, eligibility, use, and other transactions of such credits; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

SENATE BILL NO. 331—

BY SENATOR N. GAUTREAUX

AN ACT

To enact R.S. 47:301(10)(y) and (18)(k) and to repeal R.S. 47:305(A)(5), relative to exemptions from sales and use tax levied by the state; to provide an exclusion from such tax for certain transactions related to crawfish harvesting and production; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

SENATE BILL NO. 337—

BY SENATORS ELLINGTON AND NEVERS

AN ACT

To enact R.S. 47:301(7)(j), (10)(y) and (z), and (18)(k) and (l), and to repeal R.S. 47:305.31, relative to exclusions from the sales and use tax of the state and political subdivisions of the state; to provide for an exclusion from state sales tax for certain property used in the manufacture, production, or extraction of unblended biodiesel; to provide for an exclusion from the sales and use tax of the state for certain fuels; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

SENATE BILL NO. 341—

BY SENATORS DUPLESSIS, BAJOEIE, BROOME, DARDENNE, JACKSON, MICHOT, MURRAY AND NEVERS AND REPRESENTATIVE SCALISE

AN ACT

To enact R.S. 47:6020, relative to the Louisiana digital interactive media producer tax credit; to provide for a sunset date; to limit the credit so that it will not exceed Louisiana expenditures of the production; to authorize a carry forward of tax credits; to provide for administrative procedures for the credit; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

SENATE BILL NO. 351—

BY SENATOR NEVERS

AN ACT

To enact R.S. 47:287.759, relative to tax credits; to provide certain tax credits to certain contractors and subcontractors who provide certain insurance; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

SENATE BILL NO. 196—

BY SENATORS BARHAM, KOSTELKA, DUPRE, ROMERO, BOASSO AND SMITH

AN ACT

To amend and reenact Civil Code Article 466, relative to immovables; to provide relative to the definition of component parts of immovables; to provide relative to which items are considered permanently attached parts; and to provide for related matters.

Called from the calendar.

Read by title.

Page 4 HOUSE

22nd Day's Proceedings - June 1, 2005

Motion

Rep. Greene moved that Senate Bill No. 196 be designated as a duplicate of House Bill No. 348.

Which motion was agreed to.

Rep. Greene moved that Senate Bill No. 196 be amended to conform with House Bill No. 348 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming amendments proposed by Representative Greene to Reengrossed Senate Bill No. 196 by Senator Barham

AMENDMENT NO. 1

On page 3, at the end of line 2 delete "So. 2d, 2005" and insert: " _ So. 2d ___, 2005"

AMENDMENT NO. 2

On page 3, delete line 3 and insert: "WL 737481 (La.) 2004-0473 (La. 4/1/05)."

On motion of Rep. Greene, the amendments were adopted.

Motion

On motion of Rep. Greene, the above bill, as amended, was referred to the Legislative Bureau.

House and House Concurrent Resolutions Reported by Committee

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 87— BY REPRESENTATIVE TUCKER

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study cost control mechanisms for the New Opportunities Waiver to ensure cost-effective administration and service delivery.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Concurrent Resolution No. 87 by Representative Tucker

AMENDMENT NO. 1

On page 1, line 2, delete "the feasibility of" and insert in lieu thereof:

"cost control mechanisms for the New Opportunities Waiver to ensure cost-effective administration and service delivery."

AMENDMENT NO. 2

On page 1, delete lines 3 and 4 in their entirety

AMENDMENT NO. 3

On page 1, line 6, change "disabled during their" to "who have developmental disabilities and"

AMENDMENT NO. 4

On page 1, line 7, delete "developmental period,"

AMENDMENT NO. 5

On page 1, delete lines 15 through 18 in their entirety

AMENDMENT NO. 6

On page 2, line 1, delete "cap that exists in" and "is that it"

AMENDMENT NO. 7

On page 2, delete lines 4 through 9 in their entirety and insert in lieu thereof:

"WHEREAS, cost control mechanisms must be implemented to ensure sustainability of the NOW waiver as well as increase the ability to address the unmet needs of those waiting for developmental disabilities services and supports; and

WHEREAS, cost control mechanisms such as a uniform needs assessment, shared supports, conversion of ICF/MRs into waiver funded options, support coordination ensuring efficient service delivery, use of a capped adult support waiver, and the incorporation of financial management guidelines into the NOW waiver are evidence-based, cost-effective methods of ensuring efficiencies in waiver funded supports and services."

AMENDMENT NO. 8

On page 2, line 11, delete "the feasibility of placing" and insert in lieu thereof:

"cost control mechanisms for the feasibility of implementation to ensure the sustainability of the NOW waiver."

AMENDMENT NO. 9

On page 2, delete line 12 in its entirety

AMENDMENT NO. 10

On page 2, between lines 12 and 13 insert the following:

"BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby request the Department of Health and Hospitals to deliver a report to the Senate and House Committees on Health and Welfare, prior to January 31, 2006, regarding the feasibility of implementation of these and other cost control mechanisms in accordance with evidence-based practices supporting cost-effective delivery of services."

On motion of Rep. Durand, the amendments were adopted.

On motion of Rep. Durand, the resolution, as amended, was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 131— BY REPRESENTATIVE BEARD

A CONCURRENT RESOLUTION

To recognize the inalienable right of parents to provide for the education of their children.

Read by title.

Reported favorably by the Committee on Education.

On motion of Rep. Crane, the resolution was ordered engrossed and passed to its third reading.

Senate Concurrent Resolutions Reported by Committee

The following Senate Concurrent Resolutions reported by committee were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 19— BY SENATOR BAJIOIE

A CONCURRENT RESOLUTION

To urge and request the office of public health, Department of Health and Hospitals to study the possibility of including fresh fruits, vegetables, and cut herbs purchased from any authorized WIC provider, as approved items to be purchased with WIC coupons.

Read by title.

Reported favorably by the Committee on Health and Welfare.

On motion of Rep. Durand, the resolution was ordered passed to its third reading.

SENATE CONCURRENT RESOLUTION NO. 20— BY SENATOR BROOME

A CONCURRENT RESOLUTION

To urge and request the Department of Social Services to study the impact of the state's sliding fee scale on the availability, affordability, and the quality of child care services funded by the Child Care Development Fund.

Read by title.

Reported favorably by the Committee on Health and Welfare.

On motion of Rep. Durand, the resolution was ordered passed to its third reading.

SENATE CONCURRENT RESOLUTION NO. 41— BY SENATOR BAJIOIE

A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Health and Hospitals to develop a plan for the consolidation of programs and services for elderly persons and persons with adult onset disabilities into a separate office within the Department of Health and Hospitals.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Concurrent Resolution No. 41 by Senator Bajioie

AMENDMENT NO. 1

On page 1, line 3, after "services" and before "for" insert "administered by the Department of Health and Hospitals"

AMENDMENT NO. 2

On page 1, line 13, after "services" and before "for" insert "administered by the Department of Health and Hospitals"

AMENDMENT NO. 3

On page 2, line 4, after "services" and before "for" insert "administered by the Department of Health and Hospitals"

On motion of Rep. Durand, the amendments were adopted.

On motion of Rep. Durand, the resolution, as amended, was ordered passed to its third reading.

House Bills and Joint Resolutions on Second Reading Reported by Committee

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

HOUSE BILL NO. 36— BY REPRESENTATIVE FARRAR AN ACT

To enact R.S. 22:215.12, relative to health insurance; to require health insurance policies, contracts, and plans to provide coverage for colorectal cancer screening; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 36 by Representative Farrar

AMENDMENT NO. 1

On page 1, line 11, after "screening," delete the remainder of the line and delete line 12 in its entirety

AMENDMENT NO. 2

On page 1, at the beginning of line 14, delete "an annual" and insert "a"

AMENDMENT NO. 3

On page 1, line 14, after "colonoscopy" delete "or, in" and at the beginning of line 15, delete "appropriate circumstances, radiological imaging"

AMENDMENT NO. 4

On page 1, line 18, after "recommendations," insert the following:

"Routine colorectal cancer screening" shall not mean services otherwise excluded from coverage because they are deemed by a health coverage plan to be experimental or investigational.

AMENDMENT NO. 5

On page 2, after line 4, insert the following:

"D. The provisions of this Section shall not apply to individually underwritten, guaranteed renewable limited benefit health insurance policies."

On motion of Rep. Karen Carter, the amendments were adopted.

Page 6 HOUSE

22nd Day's Proceedings - June 1, 2005

On motion of Rep. Karen Carter, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 584—

BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:250.31 and to enact R.S. 22:250.32(A)(4) and 250.33(E), relative to health insurance claims; to provide with respect to prompt payment of health insurance claims; to provide for definitions; to provide with respect to determination of eligibility of an enrollee or insured; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Insurance.

The substitute was read by title as follows:

HOUSE BILL NO. 885 (Substitute for House Bill No. 584 by Representative K. Carter)—

BY REPRESENTATIVES K. CARTER AND BOWLER
AN ACT

To amend and reenact R.S. 22:250.31 through 250.35, relative to health insurance claims; to provide relative to prompt payment of health insurance claims; to provide for definitions; to provide for standards for receipt and processing of nonelectronic and electronic claims; to provide relative to limitations on claim filing and audit; to provide for the regulatory authority of the commissioner of insurance; to provide relative to applicability; and to provide for related matters.

Read by title.

On motion of Rep. Karen Carter, the substitute was adopted and became House Bill No. 885 by Rep. Karen Carter, on behalf of the Committee on Insurance, as a substitute for House Bill No. 584 by Rep. Karen Carter.

Under the rules, lies over in the same order of business.

HOUSE BILL NO. 591—

BY REPRESENTATIVE JANE SMITH
AN ACT

To enact Part V-A of Chapter 8 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1988, relative to a school district for certain alternative schools; to create a school district for alternative schools that meet certain specified standards; to provide for the administration of the school district by the state Department of Education; to provide for funding for the school district; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Education.

The substitute was read by title as follows:

HOUSE BILL NO. 886 (Substitute for House Bill No. 591 by Representative Jane Smith)—

BY REPRESENTATIVE JANE SMITH
AN ACT

To amend and reenact R.S. 17:100.1, relative to alternative educational programs for certain students; to require that certain adjudicated children and children in the custody of the office of youth development shall be counted by certain local public school boards for funding purposes under certain circumstances; to provide for an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Crane, the substitute was adopted and became House Bill No. 886 by Rep. Jane Smith, on behalf of the Committee on Education, as a substitute for House Bill No. 591 by Rep. Jane Smith.

Under the rules, lies over in the same order of business.

HOUSE BILL NO. 651—

BY REPRESENTATIVE K. CARTER
AN ACT

To enact R.S. 17:171, relative to health insurance status; to require persons attending certain schools to provide documentation relative to health insurance status annually; to provide for enforcement; to provide for release of information to public health insurance programs that cover children; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 651 by Representative K. Carter

AMENDMENT NO. 1

On page 1, line 2, after "status; to" delete the remainder of the line and delete lines 3 and 4, and insert in lieu thereof "provide relative to procedures for providing for the release of certain information to public health"

AMENDMENT NO. 2

On page 1, line 8, after "of" and before "attending" change "persons" to "students"

AMENDMENT NO. 3

On page 1, delete lines 9 through 11 in their entirety

AMENDMENT NO. 4

On page 1, at the beginning of line 12, delete "B."

AMENDMENT NO. 5

On page 1, line 12, after "all" delete the remainder of the line and insert in lieu thereof "public kindergartens and"

AMENDMENT NO. 6

On page 1, at the end of line 13, after "for" delete "checking" and delete lines 14 through 19 in their entirety and insert in lieu thereof the following:

"implementing procedures for providing for the release of certain information relative to the health insurance eligibility status of certain students. Each such administrator shall make available on the free and reduced-priced meals application a section stating that children receiving free or reduced-priced meals who do not have health insurance can receive free health coverage from the Louisiana Children's Health Insurance Program and that the school system is allowed to share information from such application with the Louisiana Children's Health Insurance Program. Such section shall also provide a place for the signature of the child's parent or guardian

and the date and the option to check next to a statement that the person signing does not want school officials to share information from the free and reduced-priced meals application with the Louisiana Children's Health Insurance Program."

AMENDMENT NO. 7

On page 2, line 1, after "July 1," and before "if" change "2005;" to "2006;"

AMENDMENT NO. 8

On page 2, at the beginning of line 3, change "2005," to "2006,"

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 797—

BY REPRESENTATIVE BEARD

AN ACT

To amend and reenact R.S. 47:1124, 1125.1(A), and 6007 and to enact R.S. 17:3222.1, R.S. 47:1123(10), and Chapter 50 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 50:3071 through 3076; to establish and provide for the Louisiana Motion Picture Investment Corporation; to provide an effective date; and to provide for related matters.

Read by title.

Reported without action by the Committee on Education with recommendation that the bill be recommitted to the Committee on Appropriations.

Motion

On motion of Rep. Crane, the bill was recommitted to the Committee on Appropriations.

**Senate Instruments on Second Reading
Returned from the Legislative Bureau**

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

SENATE BILL NO. 173—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 47:306.1 and 337.20, relative to the payment of state and local sales and use taxes by interstate and foreign transportation dealers; to provide for the optional method by which such dealers calculate and pay such taxes; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Robideaux, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

Suspension of the Rules

On motion of Rep. Hammett, the rules were suspended in order to take up and consider House Bills and Joint Resolutions at this time.

**House Bills and Joint Resolutions on
Third Reading and Final Passage**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

HOUSE BILL NO. 619—

BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 17:3351(A)(5)(e), relative to tuition and mandatory attendance fees at postsecondary education institutions; to authorize postsecondary education management boards to increase tuition and mandatory attendance fees in accordance with certain policies of the Board of Regents; to provide for effectiveness; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Hammett, the bill was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Hammett gave notice of his intention to call House Bill No. 619 from the calendar for future action.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Barrow gave notice of her intention to call House Bill No. 574 from the calendar for future action.

HOUSE BILL NO. 621—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To enact R.S. 42:1121(H), relative to the Louisiana Airport Authority; to provide for certain post public service restrictions for members of the board of commissioners of the Louisiana Airport Authority; to provide for certain post public service restrictions on public employees of the Louisiana Airport Authority or its board of commissioners; and to provide for related matters.

Read by title.

Rep. Quezaire sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Quezaire to Engrossed House Bill No. 621 by Representative St. Germain

AMENDMENT NO. 1

On page 1, after "R.S. 42:1121(H)" delete the comma and insert "and (I),"

AMENDMENT NO. 2

Page 8 HOUSE

22nd Day's Proceedings - June 1, 2005

On page 1, line 6, after "commissioners;" and before "and" insert "to provide for certain post public service restrictions on public employees from any board or commission in the state;"

AMENDMENT NO. 3

On page 2, after line 24, insert the following:

"I. Notwithstanding any other provision of law to the contrary, no former member of any board or commission and no former public employee of any board or commission shall, for a period of six years following the termination of his public service serving in such agency, enter into a transaction or assist another person for compensation in a transaction or in an appearance in connection with a transaction involving any board or commission in the state."

Point of Order

Rep. Kenney asked for a ruling from the Chair as to whether the amendments were in violation of session restrictions.

Ruling of the Chair

The Chair ruled the amendments were in violation of session restrictions and therefore out of order.

Appeal of the Ruling of the Chair

Rep. Fauchaux appealed the ruling of the Chair.

The vote recurred on sustaining the ruling of the Chair.

By a vote of 86 yeas and 10 nays, the Chair was sustained.

On motion of Rep. Quezaire, the amendments were withdrawn.

Rep. St. Germain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Barrow	Guillory, M.	Shepherd
Beard	Hill	St. Germain
Bowler	LaFleur	Strain
Carter, R.	Lancaster	Triche
Daniel	Odinot	White
Dove	Powell, T.	
Total - 17		

NAYS

Mr. Speaker	Fannin	Montgomery
Alario	Farrar	Morrell
Alexander	Fauchaux	Morrish
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Baudoin	Guillory, E.	Quezaire
Baylor	Hammett	Ritchie
Bruce	Heaton	Robideaux
Bruneau	Honey	Romero
Burns	Hunter	Scalise
Burrell	Hutter	Schneider
Carter, K.	Jackson	Smiley
Cazayoux	Jefferson	Smith, G.
Crane	Johns	Smith, J.H.—8th
Cravins	Katz	Smith, J.R.—30th

Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Trahan
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	Wooton
Erdey	McVea	Wright
Total - 78		

ABSENT

Dartez	Hopkins	Townsend
Frith	Kennard	Winston
Glover	Richmond	
Hebert	Smith, J.D.—50th	
Total - 10		

The Chair declared the above bill failed to pass.

Rep. Quezaire moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 627—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
AND SENATORS HINES, BAOIE, HEITMEIER, AND MOUNT
AN ACT

To enact R.S. 47:6020 through 6020.4, to establish the Angel Investor Tax Credit Program; to provide for the amount of the credit; to provide for qualifications for the credit; to provide for the implementation and administration of the program by the Department of Economic Development; to provide for definitions; to authorize penalties for providing false or fraudulent information; to require an annual report to the legislature; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Hammett, the bill was returned to the calendar.

HOUSE BILL NO. 639—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 33:4574.1(b) and R.S. 47:301(6)(b) and (14)(b)(iv), relative to sales and use taxes; to provide relative to the definition of hotel and places of amusement; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Martiny moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrish
Alario	Gallot	Odinot
Alexander	Geymann	Pierre
Ansardi	Glover	Pinac
Arnold	Gray	Pitre
Badon	Greene	Powell, M.
Baldone	Guillory, E.	Powell, T.
Barrow	Guillory, M.	Quezaire
Baudoin	Hammett	Richmond

Baylor	Heaton	Ritchie
Beard	Hill	Robideaux
Bowler	Honey	Romero
Bruce	Hunter	Scalise
Bruneau	Hutter	Schneider
Burns	Jackson	Shepherd
Burrell	Jefferson	Smiley
Carter, K.	Johns	Smith, G.
Carter, R.	Katz	Smith, J.H.—8th
Cazayoux	Kennard	Smith, J.R.—30th
Crane	Kenney	St. Germain
Cravins	Kleckley	Strain
Curtis	LaBruzzo	Thompson
Damico	LaFleur	Toomy
DeWitt	LaFonta	Trahan
Doerge	Lambert	Triche
Dorsey	Lancaster	Tucker
Dove	Marchand	Waddell
Downs	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Faucheux	Morrell	Wright

Total - 96

NAYS

Total - 0

ABSENT

Crowe	Farrar	Smith, J.D.—50th
Daniel	Hebert	Townsend
Dartez	Hopkins	White

Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 655—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 51:1787(B)(6), relative to sales tax rebates for construction in an enterprise zone; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Montgomery moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Pierre
Alario	Geymann	Pinac
Ansardi	Glover	Pitre
Arnold	Gray	Powell, M.
Badon	Greene	Powell, T.
Baldone	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider

Burns	Hopkins	Shepherd
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.D.—50th
Cazayoux	Jefferson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrell	Wright
Faucheux	Morrish	
Frith	Odinot	

Total - 103

NAYS

Total - 0

ABSENT

Alexander	Barrow
Total - 2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Montgomery moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 679—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT
AN ACT

To amend and reenact R.S. 47:287.92(B), 287.93(A), 287.95(F)(2), 287.738(A), and 606(A)(3), to enact R.S. 47:287.94(H) and 287.738(F), and to repeal R.S. 47:287.71(A)(1) and (2), 287.73(C)(1), 287.95(E), and 287.750, relative to the corporation income tax; to provide for a deduction for interest and dividends; to provide for a single factor apportionment formula for corporation income and franchise tax purposes for certain businesses; to provide for apportionment of profits and losses from sales or exchanges of property not made in the regular course of business; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Hammett, the bill was returned to the calendar.

HOUSE BILL NO. 683—

BY REPRESENTATIVE DOVE
AN ACT

To amend and reenact R.S. 30:125, 127(A)(introductory paragraph), 128(A) and (B), 136(A)(1)(b) and (c) and (B)(1) and (2), 158, and 213(A), relative to the management and administration of mineral leasing on public lands; to provide relative to registration of lease bidders and transferees; to provide for

Page 10 HOUSE

22nd Day's Proceedings - June 1, 2005

information to be reported when payors of state royalty change; to provide relative to incorrect royalty reporting; to provide for the deposit of liquidated damages; to authorize the mineral board to waive penalties; to provide relative to confidentiality regarding geophysical and geological survey data; to provide for registration fees and penalties; and to provide for related matters.

Read by title.

Rep. Dove sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dove to Engrossed House Bill No. 683 by Representative Dove

AMENDMENT NO. 1

On page 6, line 20, change "given on the application for" to "included in"

AMENDMENT NO. 2

On page 7, line 2, change "given on the application for" to "included in"

On motion of Rep. Dove, the amendments were adopted.

Rep. Dove moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pitre
Arnold	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Greene	Quezaire
Barrow	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Baylor	Hammett	Robideaux
Beard	Heaton	Romero
Bowler	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Shepherd
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Kennard	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton

Farrar Morrell Wright
Total - 102

NAYS

Total - 0
ABSENT

Damico Katz Pinac
Total - 3

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Dove moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 684—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:6015(B), (C)(1) and (2), (D), (F)(3), (G), and (H) and to enact R.S. 47:6015(C)(5)(a)(iv), (F)(4), and (I), relative to exemptions from state taxes; to provide relative to the research and development tax credit; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Hammett, the bill was returned to the calendar.

HOUSE BILL NO. 687—

BY REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 22:635.4(A) and (C), relative to homeowners insurance policies; to provide for conversion of policy forms; to provide for approval; to provide for the Louisiana Insurance Rating Commission; and to provide for related matters.

Read by title.

Rep. McDonald, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald on behalf of the Legislative Bureau to Engrossed House Bill No. 687 by Representative K. Carter

AMENDMENT NO. 1

On page 1, line 2, change "reenact R. S. 22:635.4(A) and (C)" to "reenact R. S. 22:635.4(A), and to enact R. S. 22:635.4(C)"

AMENDMENT NO. 2

On page 1, line 6, change "and (C) are" to "is" and after "reenacted" insert "R. S. 22:635.4(C) is hereby enacted"

On motion of Rep. McDonald, the amendments were adopted.

Rep. Karen Carter moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Odinet
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Arnold	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Greene	Quezaire
Barrow	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Baylor	Hammett	Robideaux
Beard	Heaton	Romero
Bowler	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Shepherd
Burns	Hopkins	Smiley
Burrell	Hutter	Smith, G.
Carter, K.	Jackson	Smith, J.D.—50th
Carter, R.	Jefferson	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	St. Germain
Cravins	Kennard	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Morrish	

Total - 104

NAYS

Total - 0

ABSENT

Hunter
Total - 1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Karen Carter moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 688—

BY REPRESENTATIVE RICHMOND
AN ACT

To amend and reenact R.S. 45:781(A) and R.S. 47:301(14)(i)(ii)(bb)(XV) and to enact Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9601 through 9610, and R.S. 45:781(C), relative to the taxation of telecommunications services; to enact the Louisiana Communications Excise Tax Act; to create and establish the Louisiana Communications Tax District; to provide for the governance of the district by a board of directors; to provide for the authority, duties, powers, and responsibilities of the district and its board of directors; to authorize the district to levy and collect a statewide excise tax on all communications services in lieu of other local taxes, charges, or fees imposed on providing

communications services; to provide for the distribution of the proceeds of such tax to the local governmental subdivisions of the state; to prohibit the enforcement of existing obligations to pay certain local taxes, charges, and fees; to provide that local governmental subdivisions shall have and retain the authority to regulate and manage their roads and rights-of-way in exercising their police power; to provide for definitions; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Richmond, the bill was returned to the calendar.

HOUSE BILL NO. 689—

BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 22:1244(A)(3) and to enact R.S. 22:1244(C), relative insurance fraud; to provide for automobile insurance fraud; to provide for restitution; to provide for civil right of action; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Walsworth, the bill was returned to the calendar.

Suspension of the Rules

On motion of Rep. Triche, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

Suspension of the Rules

On motion of Rep. Elcie Guillory, the rules were suspended in order to take up and consider House Bill No. 152 at this time.

HOUSE BILL NO. 152—

BY REPRESENTATIVE E. GUILLORY
AN ACT

To amend and reenact R.S. 18:563(D) and (E) and to enact R.S. 18:563(F), relative to voting procedures; to prohibit the use of certain electronic communication devices while voting; to exempt from the prohibition certain electronic communication devices to be used for assisted voting; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Elcie Guillory moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Morrish
Alario	Farrar	Odinet
Alexander	Faucheux	Pierre
Ansardi	Frith	Pinac
Arnold	Gallot	Pitre

Page 12 HOUSE

22nd Day's Proceedings - June 1, 2005

Badon
Baldone
Barrow
Baudoin
Baylor
Beard
Bowler
Bruce
Bruneau
Burns
Burrell
Carter, K.
Carter, R.
Cazayoux
Crane
Cravins
Crowe
Curtis
Damico
Daniel
Dartez
DeWitt
Doerge
Dorsey
Dove
Downs
Durand
Erdey
Total - 97

Geymann
Glover
Gray
Guillory, E.
Guillory, M.
Hammett
Heaton
Hebert
Hill
Hopkins
Hunter
Hutter
Jackson
Jefferson
Johns
Katz
Kenney
Kleckley
LaBruzzo
LaFleur
LaFonta
Lambert
Lancaster
Marchand
Martiny
McDonald
Montgomery
Morrell

Powell, M.
Powell, T.
Richmond
Ritchie
Robideaux
Romero
Schneider
Smiley
Smith, G.
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
St. Germain
Strain
Thompson
Toomy
Townsend
Trahan
Triche
Tucker
Waddell
Walker
Walsworth
White
Wooton
Wright

NAYS

Greene
Total - 1

ABSENT

Honey
Kennard
McVea
Total - 7

Quezaire
Scalise
Shepherd

Winston

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Elcie Guillory moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 526—

BY REPRESENTATIVE WINSTON

AN ACT

To enact Part V-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2164.1 through 2165.2, relative to brain injury facilities; to provide for licensing requirements; and to provide for related matters.

Suspension of the Rules

On motion of Rep. Winston, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

Called from the calendar.

Read by title.

Rep. Winston sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Winston to Engrossed House Bill No. 526 by Representative Winston

AMENDMENT NO. 1

On page 1, line 2, change "V-A" to "II-D"

AMENDMENT NO. 2

On page 1, line 3, change "R.S. 40:2164.1 through 2165.2" to "R.S. 40:2120.1 through 2120.10"

AMENDMENT NO. 3

On page 1, line 6, change "V-A" to "II-D"

AMENDMENT NO. 4

On page 1, line 7, change "R.S. 40:2164.1 through 2165.2" to R.S. 40:2120.1 through 2120.10"

AMENDMENT NO. 5

On page 1, line 8, change "V-A." to "II-D."

AMENDMENT NO. 6

On page 1, line 9, change "2164.1" to "2120.1"

AMENDMENT NO. 7

On page 1, line 11, change "2164.2" to "2120.2"

AMENDMENT NO. 8

On page 2, line 18, change "2164.3" to "2120.3"

AMENDMENT NO. 9

On page 4, line 13, change "Social Services" to "Health and Hospitals"

AMENDMENT NO. 10

On page 7, delete line 7 in its entirety and insert in lieu thereof:

"§2120.4. Licensing; applications; provisional licenses; fees"

AMENDMENT NO. 11

On page 7, delete lines 16 through 20 in their entirety and insert in lieu thereof "department."

AMENDMENT NO. 12

On page 7, line 21, delete "temporary."

AMENDMENT NO. 13

On page 7, delete lines 22 through 24 in their entirety and insert in lieu thereof:

"provisional licenses. A provisional license may be issued to an existing facility when the facility is not in full compliance with regulations, codes or standards except in cases where the failure to comply is detrimental to the health or safety of the clients."

AMENDMENT NO. 14

On page 7, line 27, after "location" and before "of" insert "or owner"

AMENDMENT NO. 15

On page 8, line 4, change "eight hundred" to "two hundred fifty"

AMENDMENT NO. 16

On page 8, line 7, change "2164.5" to "2120.5"

AMENDMENT NO. 17

On page 8, delete lines 18 through 20 in their entirety and insert in lieu thereof:

"(3) Ensure adequate supervision of the clients.

(4) Include requirements for all personnel and employees of the facility."

AMENDMENT NO. 18

On page 8, delete lines 24 and 25 in their entirety and insert in lieu thereof:

"(6) Include procedures for survey and complaint investigations."

AMENDMENT NO. 19

On page 9, delete lines 9 through 17 in their entirety

AMENDMENT NO. 20

On page 9, line 18, change "2164.6" to "2120.6"

AMENDMENT NO. 21

On page 9, delete lines 19 through 22 and insert in lieu thereof:

"The department, through its duly authorized agents, shall inspect at regular intervals as may be deemed necessary by the department, and"

AMENDMENT NO. 22

On page 9, line 26, change "2164.7" to "2120.7"

AMENDMENT NO. 23

On page 10, delete lines 2 and 3 in their entirety and insert in lieu thereof:

"accordance with R.S. 40:2009.13 et seq."

AMENDMENT NO. 24

On page 10, deletes line 4 through 22 in their entirety and insert in lieu thereof:

"§2120.8. Denial or revocation of license; written notice; appeal procedure"

A. The department may deny, suspend, or revoke a license in any case in which there has been a failure of the applicant or licensee to comply with the requirements of this Part or the rules, regulations, and minimum standards for adult brain injury facilities, provided in all such cases the department shall furnish the applicant or licensee thirty days written notice specifying the reasons for the action.

B. Any applicant or licensee who feels aggrieved by the action of the department in denying or revoking a license may appeal suspensively from the action within thirty days after receipt of the

notification of the denial or revocation. This appeal or request for a hearing shall specify in detail reasons why the appeal is lodged and why the appellant feels aggrieved by the action of the department.

C. The appeal hearing shall be conducted in accordance with the Administrative Procedure Act."

AMENDMENT NO. 25

On page 11, line 18, change "2165.1" to "2120.10"

AMENDMENT NO. 26

On page 11, delete lines 26 through 28 in their entirety

On motion of Rep. Winston, the amendments were adopted.

Rep. Winston moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hopkins	Shepherd
Carter, K.	Hunter	Smiley
Carter, R.	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.D.--50th
Crane	Jefferson	Smith, J.H.--8th
Cravins	Katz	Smith, J.R.--30th
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrell	
Total - 101		

NAYS

Total - 0

ABSENT

Barrow	St. Germain
Johns	Winston
Total - 4	

The Chair declared the above bill was finally passed.

Page 14 HOUSE

22nd Day's Proceedings - June 1, 2005

The title of the above bill was read and adopted.

HOUSE BILL NO. 692—

BY REPRESENTATIVE WOOTON

AN ACT

To enact Code of Criminal Procedure Article 336.2, relative to operating a vehicle while intoxicated; to require an ignition interlock device as a condition of release on bail for certain persons arrested for certain alcohol-related driving offenses; to provide for procedures; to provide for waiver of this requirement by courts in certain circumstances; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Wooton, the bill was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Wooton gave notice of his intention to call House Bill No. 692 from the calendar for future action.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Crowe gave notice of his intention to call House Bill No. 744 from the calendar for future action.

HOUSE BILL NO. 701—

BY REPRESENTATIVE BAUDOIN

AN ACT

To enact R.S. 41:15, relative to hunting on state land; to provide for certain restrictions to deer hunting equipment on state lands; and to provide for related matters.

Read by title.

Rep. Baudoin moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Pinac
Alario	Frith	Pitre
Alexander	Gallot	Powell, M.
Ansardi	Geymann	Powell, T.
Arnold	Glover	Quezaire
Badon	Gray	Richmond
Baldone	Greene	Ritchie
Barrow	Guillory, E.	Robideaux
Baudoin	Hammett	Romero
Baylor	Heaton	Scalise
Beard	Hebert	Schneider
Bowler	Honey	Shepherd
Bruce	Hopkins	Smiley
Bruneau	Hutter	Smith, G.
Burns	Jackson	Smith, J.D.—50th
Burrell	Jefferson	Smith, J.H.—8th
Carter, K.	Katz	Smith, J.R.—30th
Carter, R.	Kennard	Strain
Crane	Kenney	Thompson
Cravins	LaFleur	Toomy
Crowe	LaFonta	Townsend
Damico	Lambert	Trahan

Daniel
Dartez
DeWitt
Doerge
Dorsey
Downs
Durand
Erdey
Fannin
Farrar
Total - 95

Lancaster
Marchand
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish
Odinet
Pierre

Triche
Tucker
Waddell
Walker
Walsworth
White
Winston
Wooton
Wright

NAYS

Cazayoux
Total - 3

Curtis

Hill

ABSENT

Dove
Guillory, M.
Hunter
Total - 7

Johns
Kleckley
LaBruzzo

St. Germain

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Baudoin moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 731—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 47:1124, 1125.1(A), and 6007(A), (B)(1) and (5), (C)(1), (3)(b), and (4)(a) and (b), and (D) and to enact R.S. 47:1123(10) and 6007(B)(6) and (C)(4)(f), relative to the motion picture investor tax credit; to provide incentives for motion picture infrastructure development; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Hammett sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hammett to Engrossed House Bill No. 731 by Representative Hammett

AMENDMENT NO. 1

On page 1, line 2, after "(B)" and before the comma "," delete "(1) and (5)"

AMENDMENT NO. 2

On page 1, line 3, after "6007" delete "(B)(6) and"

AMENDMENT NO. 3

On page 1, line 4, after "(C)(4)(f)" and before the comma "," insert "and (6)"

AMENDMENT NO. 4

On page 1, line 8, after "6007(A), (B)" and before the comma "," delete "(1) and (5)"

AMENDMENT NO. 5

On page 1, line 10, after "6007" delete "(B)(6) and" and after "(C)(4)(f)" insert "and (6)"

AMENDMENT NO. 6

On page 4, at the beginning of line 5, change "(c)" to "(2)"

AMENDMENT NO. 7

On page 4, between lines 7 and 8, insert the following:

"(3)(2) "Headquartered in Louisiana" shall mean a corporation incorporated in Louisiana or a partnership, limited liability company, or other business entity domiciled and headquartered in Louisiana for the purpose of producing nationally distributed motion pictures as defined in this Section.

(4)(3) "Motion picture" means a nationally distributed feature-length film, video, television series, or commercial made in Louisiana, in whole or in part, for theatrical or television viewing or as a television pilot. The term "motion picture" shall not include the production of television coverage of news and athletic events.

(5)(4) "Motion picture production company" shall mean a company engaged in the business of producing nationally distributed motion pictures as defined in this Section. Motion picture production company shall not mean or include any company owned, affiliated, or controlled, in whole or in part, by any company or person which is in default on a loan made by the state or a loan guaranteed by the state, not with any company or person who has ever declared bankruptcy under which an obligation of the company or person to pay or repay public funds or monies was discharged as a part of such bankruptcy.

(6) "Payroll" shall include all salary, wages, and other compensation, including related benefits sourced or apportioned to Louisiana."

AMENDMENT NO. 8

On page 4, at the beginning of line 8, change "(d)" to "(7)"

AMENDMENT NO. 9

On page 4, delete lines 26 through 28 in their entirety.

AMENDMENT NO. 10

On page 5, at the beginning of line 1, change "(f)" to "(8)"

AMENDMENT NO. 11

On page 5, delete line 6 in its entirety.

AMENDMENT NO. 12

On page 5, at the beginning of line 7, change "(5)" to "(9)"

AMENDMENT NO. 13

On page 5, at the beginning of line 11, change "(6)" to "(10)"

AMENDMENT NO. 14

On page 6, line 22, after "(ii)" delete "Until January 1, 2008, to" and insert "To"

On motion of Rep. Hammett, the amendments were adopted.

Rep. Scalise sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Scalise to Engrossed House Bill No. 731 by Representative Hammett

AMENDMENT NO. 1

On page 5 delete lines 21 and 22 in their entirety and insert in lieu thereof the following:

"expenditures are made by the motion picture production company that produces the state-certified production."

AMENDMENT NO. 2

On page 6, at the end of line 19, delete the comma "," and add "but less than twenty-five million dollars."

AMENDMENT NO. 3

On page 6, at the end of line 21, add the following:

"If the total base investment is greater than twenty-five million dollars, each investor shall be allowed a tax credit of thirty percent of the base investment made by that investor."

Rep. Scalise moved the adoption of the amendments.

Rep. Hammett objected.

By a vote of 42 yeas and 61 nays, the amendments were rejected.

Rep. Hammett moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrell
Arnold	Frith	Morrish
Badon	Gallot	Odinot
Baldone	Geymann	Pierre
Baudoin	Glover	Pinac
Baylor	Gray	Powell, M.
Beard	Greene	Powell, T.
Bruce	Guillory, E.	Quezaire
Burns	Guillory, M.	Richmond
Burrell	Hammett	Ritchie
Carter, K.	Heaton	Robideaux
Carter, R.	Hill	Shepherd
Cazayoux	Honey	Smiley
Crane	Hopkins	Smith, G.
Cravins	Jefferson	Smith, J.D.-50th
Curtis	Johns	Smith, J.H.-8th
Damico	Katz	Smith, J.R.-30th
Darte	Kennard	St. Germain
DeWitt	Kenney	Townsend
Doerge	LaFleur	Trahan
Dorsey	LaFonta	Waddell
Downs	Lambert	Walker
Durand	Marchand	Walsworth
Erdey	McDonald	Wooton
Fannin	McVea	Wright

Total - 78

NAYS

Alexander	Hutter	Schneider
-----------	--------	-----------

Page 16 HOUSE

22nd Day's Proceedings - June 1, 2005

Ansardi	Kleckley	Strain
Bowler	LaBruzzo	Toomy
Bruneau	Lancaster	Tucker
Crowe	Martiny	White
Dove	Pitre	Winston
Hebert	Scalise	
Total - 20		

ABSENT

Barrow	Jackson	Triche
Daniel	Romero	
Hunter	Thompson	
Total - 7		

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Hammett moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On joint motion of Reps. Dorsey and Honey, and under a suspension of the rules, the above roll call was corrected to reflect them as voting yea.

HOUSE BILL NO. 753—

BY REPRESENTATIVES DURAND AND McDONALD
AN ACT

To amend and reenact R.S. 37:1212, relative to the Pharmacy Practice Act; to provide relative to the practice of pharmacy technicians; and to provide for related matters.

Read by title.

Rep. Durand moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Shepherd
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.D.—50th
Cazayoux	Jefferson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend

Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrell	
Total - 104		

NAYS

Total - 0

ABSENT

Waddell
Total - 1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Durand moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Odinet gave notice of his intention to call House Bill No. 52 from the calendar for future action.

HOUSE BILL NO. 759—

BY REPRESENTATIVE BURNS
AN ACT

To amend and reenact R.S. 37:2442(4), 2444, 2445, 2446.1(A) and (B)(7), 2447, 2448(A) and (B)(1), 2449, 2450, 2451(A) and (B), 2461(A), 2462, and 2463, to enact R.S. 37:2442(6), 2449.1, 2449.2, 2449.3, and 2463.1, and to repeal R.S. 37:2452 and 2457(11), relative to the licensing of hearing aid dealers; to provide relative to qualifications, fees, penalties, and continuing education; to provide for temporary training permits and the training of temporary training permit holders; and to provide for related matters.

Read by title.

Rep. Burns sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Burns to Engrossed House Bill No. 759 by Representative Burns

AMENDMENT NO. 1

On page 2, at the end of line 6, change "of" to "or"

On motion of Rep. Burns, the amendments were adopted.

Rep. Burns moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Odinot
-------------	----------	--------

Alario	Frith	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Barrow	Greene	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Schneider
Bruneau	Hill	Shepherd
Burns	Honey	Smith, G.
Burrell	Hopkins	Smith, J.D.-50th
Carter, K.	Hunter	Smith, J.H.-8th
Carter, R.	Hutter	Smith, J.R.-30th
Cazayoux	Jackson	St. Germain
Crane	Jefferson	Strain
Cravins	Johns	Thompson
Crowe	Katz	Toomy
Curtis	Kennard	Townsend
Damico	Kenney	Trahan
Daniel	LaBruzzo	Triche
Dartez	LaFleur	Tucker
Doerge	LaFonta	Waddell
Dorsey	Lambert	Walker
Dove	Lancaster	Walsworth
Downs	Marchand	White
Durand	Martiny	Winston
Erdey	McDonald	Wooton
Fannin	McVea	Wright
Farrar	Morrell	

Total - 98

NAYS

Alexander	Scalise	Smiley
Total - 3		

ABSENT

DeWitt	Montgomery
Kleckley	Morrish
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Burns moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 762—
BY REPRESENTATIVE STRAIN

AN ACT

To amend and reenact R.S. 27:44(introductory paragraph)and to enact R.S. 27:44(15.1) and 44.1, relative to inspections for riverboats; to define a non-certificated vessel; to provide for the inspection of non-certificated vessels; to provide for alternatives to United States Coast Guard Certificates of Inspection; and to provide for related matters.

Read by title.

Rep. Strain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Pierre
Alario	Frith	Pinac
Ansardi	Gallot	Pitre
Arnold	Geymann	Powell, M.
Badon	Glover	Powell, T.
Baldone	Gray	Quezaire
Barrow	Greene	Richmond
Baudoin	Guillory, E.	Ritchie
Baylor	Guillory, M.	Robideaux
Beard	Hammett	Romero
Bowler	Heaton	Scalise
Bruce	Hebert	Schneider
Bruneau	Hill	Shepherd
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.
Carter, K.	Hunter	Smith, J.D.-50th
Carter, R.	Hutter	Smith, J.H.-8th
Cazayoux	Jackson	Smith, J.R.-30th
Crane	Jefferson	St. Germain
Cravins	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kennard	Toomy
Damico	Kenney	Townsend
Daniel	Kleckley	Trahan
Dartez	LaBruzzo	Triche
DeWitt	LaFleur	Tucker
Doerge	LaFonta	Waddell
Dorsey	Lambert	Walsworth
Dove	Lancaster	White
Downs	Marchand	Winston
Durand	McDonald	Wooton
Erdey	McVea	Wright
Fannin	Montgomery	
Farrar	Odinot	

Total - 100

NAYS

Total - 0

ABSENT

Alexander	Morrell	Walker
Martiny	Morrish	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Strain moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 795—
BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 47:3201 through 3205 and 4301 through 4306, relative to contracts with the Board of Commerce and Industry and manufacturing establishments; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Hammett, the bill was returned to the calendar.

Page 18 HOUSE

22nd Day's Proceedings - June 1, 2005

HOUSE BILL NO. 799—

BY REPRESENTATIVE RICHMOND

AN ACT

To amend and reenact R.S. 14:90.3(F) and R.S. 27:3(14), (16), and (18), 27.1(C)(introductory paragraph), 29.2(B) and (D), 29.3(A) and (D), and 29.4(D) and to enact Chapter 9 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:501 through 536, relative to slot machine gaming at the eligible airport facility; to enact the New Orleans Airport Facility and Operation Economic Redevelopment and Gaming Control Act; to provide for applicability; to provide for definitions; to declare public policy; to provide for procedures for licensing of gaming at the eligible airport facility; to provide suitability criteria and conditions for licensing; to provide conditions with respect to licensing; to provide criteria for the slot machine gaming facility in the eligible airport facility; to provide for the powers and duties of the Louisiana Gaming Control Board; to provide for the powers and duties of the gaming division, office of state police; to provide limitations on the designated gaming area; to prohibit certain relationships; to provide for certain crimes; to provide for penalties; to provide for appeals; to provide for the calling and conducting of an election regarding slot machine gaming; to provide for assistance for compulsive or problem gambling; to provide that the provisions of law regarding the uniform and compulsive problem gambling program and permits for nongaming suppliers, key and non-key gaming employees apply to licensees for eligible airport facility gaming; to authorize an airport authority tax; to provide for the allocation of funds from that tax; to provide with respect to the power of the airport authority; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Richmond, the bill was returned to the calendar.

HOUSE BILL NO. 816—

BY REPRESENTATIVES JOHNS AND MCDONALD

AN ACT

To amend and reenact R.S. 37:1184, relative to the Pharmacy Practice Act; to provide for changes in the fee schedule; and to provide for related matters.

Read by title.

Rep. Johns moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinet
Alario	Gallot	Pierre
Alexander	Geymann	Pinac
Ansardi	Glover	Pitre
Arnold	Gray	Powell, M.
Badon	Greene	Powell, T.
Baldone	Guillory, E.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Hammett	Ritchie
Baylor	Heaton	Robideaux
Beard	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Shepherd
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.

Carter, K.

Carter, R.

Cazayoux

Crane

Cravins

Crowe

Curtis

Damico

Daniel

Dartez

Doerge

Dorsey

Dove

Downs

Durand

Fannin

Farrar

Faucheux

Total - 99

Hutter

Jackson

Jefferson

Johns

Kennard

Kenney

Kleckley

LaFleur

LaFonta

Lambert

Lancaster

Marchand

Martiny

McDonald

McVea

Montgomery

Morrell

Morrish

Smith, J.D.—50th

Smith, J.H.—8th

Smith, J.R.—30th

St. Germain

Strain

Thompson

Toomy

Townsend

Trahan

Triche

Tucker

Waddell

Walker

Walsworth

White

Winston

Wooton

Wright

NAYS

Bowler

Schneider

Total - 2

ABSENT

DeWitt

Katz

Erdey

LaBruzzo

Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Johns moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 877—

BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 51:1792, relative to eligibility for tax incentives under the enterprise zone program; to provide for the eligibility for certain video draw poker owners or operators; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Townsend moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Faucheux	Morrish
Ansardi	Frith	Odinet
Arnold	Gallot	Pierre
Badon	Glover	Pinac
Baldone	Gray	Pitre
Barrow	Guillory, E.	Powell, T.
Baylor	Guillory, M.	Quezaire
Bowler	Hammett	Richmond
Bruce	Heaton	Ritchie
Bruneau	Hebert	Robideaux
Burrell	Honey	Romero
Carter, K.	Hopkins	Shepherd
Carter, R.	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.D.—50th
Cravins	Jefferson	Smith, J.R.—30th
Curtis	Kennard	St. Germain

Damico	Kenney	Strain
Daniel	LaFleur	Thompson
Dartez	LaFonta	Toomy
DeWitt	Lancaster	Townsend
Doerge	Martiny	Walker
Dorsey	McVea	Wooton
Dove	Montgomery	
Durand	Morrell	
Total - 70		

NAYS

Mr. Speaker	Geymann	Smiley
Alexander	Greene	Smith, J.H.-8th
Baudoin	Hill	Trahan
Beard	Katz	Tucker
Burns	Kleckley	Waddell
Crane	Lambert	Walsworth
Crowe	McDonald	Winston
Erdey	Powell, M.	Wright
Fannin	Scalise	
Farrar	Schneider	
Total - 28		

ABSENT

Downs	LaBruzzo	White
Hunter	Marchand	
Johns	Triche	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Townsend moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 7—
BY REPRESENTATIVE M. GUILLORY
AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H), relative to the civil jurisdiction of the City Court of Eunice; to increase the jurisdictional amount in dispute in the City Court of Eunice; and to provide for related matters.

Read by title.

Rep. McDonald, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald on behalf of the Legislative Bureau to Engrossed House Bill No. 7 by Representative M. Guillory

AMENDMENT NO. 1

On page 1, line 14, following "Eunice," and before "City" insert "the"

On motion of Rep. McDonald, the amendments were adopted.

Rep. Mickey Guillory moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Morrish
Alario	Farrar	Odinot
Ansardi	Faucheux	Pierre
Arnold	Frith	Pinac
Badon	Gallot	Pitre
Baldone	Glover	Powell, M.
Barrow	Gray	Powell, T.
Baudoin	Greene	Quezaire
Baylor	Guillory, E.	Ritchie
Beard	Guillory, M.	Robideaux
Bowler	Hammett	Romero
Bruce	Heaton	Scalise
Bruneau	Hebert	Shepherd
Burns	Hill	Smiley
Burrell	Hopkins	Smith, J.D.-50th
Carter, K.	Hunter	Smith, J.H.-8th
Carter, R.	Hutter	Smith, J.R.-30th
Cazayoux	Jackson	St. Germain
Crane	Jefferson	Strain
Cravins	Johns	Thompson
Crowe	Katz	Toomy
Curtis	Kenney	Townsend
Damico	Kleckley	Trahan
Daniel	LaFleur	Triche
Dartez	LaFonta	Tucker
DeWitt	Lancaster	Waddell
Doerge	Marchand	Walker
Dorsey	Martiny	Walsworth
Dove	McDonald	White
Downs	McVea	Winston
Durand	Montgomery	Wooton
Erdey	Morrell	Wright
Total - 96		

NAYS

Smith, G.
Total - 1

ABSENT

Alexander	Kennard	Richmond
Geymann	LaBruzzo	Schneider
Honey	Lambert	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Mickey Guillory moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 76—
BY REPRESENTATIVE MARCHAND
AN ACT

To amend and reenact R.S. 22:1065.1(A) and (B)(3), relative to criminal bail bonds; to provide for fees on premiums; to provide for Orleans Parish; to provide for distribution of the fees; and to provide for related matters.

Read by title.

Rep. Marchand sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Marchand to Reengrossed House Bill No. 76 by Representative Marchand

AMENDMENT NO. 1

Page 20 HOUSE

22nd Day's Proceedings - June 1, 2005

On page 2, delete line 26 in its entirety

On motion of Rep. Marchand, the amendments were adopted.

Rep. Marchand moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	McVea
Alario	Faucheux	Montgomery
Ansardi	Frith	Morrell
Arnold	Gallot	Morrish
Badon	Geymann	Odinot
Baldone	Glover	Pierre
Barrow	Gray	Pitre
Baudoin	Guillory, E.	Powell, T.
Beard	Guillory, M.	Quezaire
Bowler	Hammett	Richmond
Bruce	Heaton	Ritchie
Bruneau	Hebert	Robideaux
Burrell	Hill	Romero
Carter, K.	Honey	Shepherd
Carter, R.	Hunter	Smith, G.
Cazayoux	Hutter	Smith, J.D.—50th
Crane	Jackson	Smith, J.R.—30th
Cravins	Jefferson	St. Germain
Curtis	Johns	Strain
Damico	Kennard	Thompson
Daniel	Kenney	Toomy
Dartez	Kleckley	Townsend
DeWitt	LaFleur	Trahan
Doerge	LaFonta	Triche
Dorsey	Lambert	Walker
Dove	Lancaster	White
Downs	Marchand	Wooton
Durand	Martiny	Wright
Fannin	McDonald	
Total - 86		

NAYS

Burns	LaBruzzo	Smiley
Erdey	Powell, M.	Tucker
Greene	Scalise	Walsworth
Katz	Schneider	
Total - 11		

ABSENT

Alexander	Hopkins	Waddell
Baylor	Pinac	Winston
Crowe	Smith, J.H.—8th	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Marchand moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 107—

BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 33:447.8, relative to the mayor's court in Erath; to authorize an increase in the amount of court costs for the violation of a municipal ordinance; to provide that any increase is conditioned upon the local governing authority authorizing an

increase in court costs by ordinance; and to provide for related matters.

Read by title.

Rep. Frith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrell
Alario	Gallot	Morrish
Arnold	Geymann	Odinot
Badon	Glover	Pierre
Baldone	Gray	Pitre
Barrow	Greene	Powell, M.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hopkins	Shepherd
Carter, K.	Hunter	Smiley
Carter, R.	Hutter	Smith, G.
Cazayoux	Jackson	Smith, J.D.—50th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Curtis	Katz	Strain
Damico	Kennard	Thompson
Daniel	Kenney	Toomy
Dartez	Kleckley	Townsend
DeWitt	LaBruzzo	Trahan
Doerge	LaFleur	Triche
Dorsey	LaFonta	Tucker
Dove	Lambert	Waddell
Downs	Lancaster	Walker
Durand	Marchand	Walsworth
Erdey	Martiny	White
Fannin	McDonald	Winston
Farrar	McVea	Wooton
Faucheux	Montgomery	Wright
Total - 99		

NAYS

Total - 0

ABSENT

Alexander	Crowe	Powell, T.
Ansardi	Pinac	Smith, J.H.—8th
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Frith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 133—

BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 33:2495(B)(1)(a) and 2555(B)(1)(a), relative to the municipal fire and police civil service; to provide relative to the removal of an employee from a position during his working test; and to provide for related matters.

Read by title.

Rep. Cazayoux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Odinet
Alario	Frith	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Barrow	Greene	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Shepherd
Burrell	Hopkins	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	Wright
Total - 102		

NAYS

Total - 0

ABSENT

Alexander	LaBruzzo	Martiny
Total - 3		

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Cazayoux moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 135—

BY REPRESENTATIVE CROWE

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(F) and (I), relative to the jurisdictional limits of the City Court of Slidell; to increase the civil jurisdictional amount in dispute; and to provide for related matters.

Read by title.

Rep. Crowe moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Ansardi	Gallot	Odinet
Arnold	Geymann	Pierre
Badon	Glover	Pinac
Baldone	Gray	Pitre
Barrow	Greene	Powell, M.
Baudoin	Guillory, E.	Powell, T.
Baylor	Guillory, M.	Quezaire
Beard	Hammett	Richmond
Bruce	Heaton	Ritchie
Bruneau	Hebert	Robideaux
Burrell	Hill	Romero
Carter, K.	Honey	Scalise
Carter, R.	Hopkins	Schneider
Cazayoux	Hunter	Shepherd
Crane	Hutter	Smiley
Cravins	Jackson	Smith, G.
Crowe	Jefferson	Smith, J.D.—50th
Curtis	Johns	Smith, J.H.—8th
Damico	Katz	Smith, J.R.—30th
Daniel	Kennard	St. Germain
Dartez	Kenney	Strain
DeWitt	Kleckley	Thompson
Doerge	LaFleur	Townsend
Dorsey	LaFonta	Trahan
Dove	Lancaster	Triche
Downs	Marchand	Tucker
Durand	Martiny	Waddell
Erdey	McDonald	Walker
Fannin	McVea	Winston
Farrar	Montgomery	Wright
Total - 96		

NAYS

Bowler	Walsworth
Toomy	Wooton
Total - 4	

ABSENT

Alexander	LaBruzzo	White
Burns	Lambert	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Crowe moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Erdey, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

HOUSE BILL NO. 160—

BY REPRESENTATIVE HONEY

AN ACT

To enact R.S. 33:9038, relative to tax increment financing; to prohibit the use of tax increment financing that involves a

Page 22 HOUSE

22nd Day's Proceedings - June 1, 2005

public school system without prior approval of the system; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Karen Carter, the bill was returned to the calendar.

HOUSE BILL NO. 343—

BY REPRESENTATIVES TOOMY AND MARTINY AND SENATORS JONES AND LENTINI

AN ACT

To enact R.S. 13:48, relative to the salary of judges of the supreme court, courts of appeal, district courts, parish courts, and city courts; to provide for an increase in the salary paid for by the state as recommended by the Judicial Compensation Commission; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Toomy, the bill was returned to the calendar.

HOUSE BILL NO. 368—

BY REPRESENTATIVE MARCHAND
AN ACT

To amend and reenact R.S. 32:365(B) and to enact R.S. 32:41(E) and R.S. 33:4882, relative to the enforcement of traffic violations in the city of New Orleans; to authorize the use of photographic systems for enforcement of certain traffic regulations in New Orleans; to provide for notification regarding a traffic violation; to provide for penalties for violations; and to provide for related matters.

Read by title.

Rep. Marchand sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Marchand to Engrossed House Bill No. 368 by Representative Marchand

AMENDMENT NO. 1

On page 4, at the end of line 9, change "one hundred twenty" to "fifty"

AMENDMENT NO. 2

On page 4, at the beginning of line 19, change "two hundred forty" to "one hundred twenty"

On motion of Rep. Marchand, the amendments were adopted.

Rep. Marchand sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Marchand to Engrossed House Bill No. 368 by Representative Marchand

AMENDMENT NO. 1

On page 4, at the end of line 10, insert the following:

"Such noncriminal violation shall not appear on the driving record of the owner of the vehicle or the person receiving the citation nor shall such violation affect the premium rate of any insurance policy in effect on the owned vehicle or on any vehicle owned by the person receiving the citation."

Motion

On motion of Rep. Marchand, the bill, as amended, was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Honey gave notice of his intention to call House Bill No. 160 from the calendar for future action.

Suspension of the Rules

On motion of Rep. Dorsey, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

June 1, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 82

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 82— BY SENATOR HEITMEIER AND REPRESENTATIVE TOOMY A CONCURRENT RESOLUTION

To commend B. H. Miller, Jr. upon his retirement as Police Chief from the Gretna Police Department and to recognize the efforts he has made in consistently finding ways to improve and serve the community at large through his many achievements.

Read by title.

On motion of Rep. Alario, and under a suspension of the rules, the resolution was concurred in.

Introduction of Resolutions,

House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 76—

BY REPRESENTATIVE K. CARTER

A RESOLUTION

To declare Wednesday, June 1, 2005, as Xavier University Day at the Louisiana House of Representatives.

Read by title.

On motion of Rep. Karen Carter, and under a suspension of the rules, the resolution was adopted.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Appropriations

June 1, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Appropriations to submit the following report:

House Bill No. 86, by Walker
Reported favorably. (14-0) (Regular)

House Bill No. 120, by Hill
Reported favorably. (11-0) (Regular)

House Bill No. 472, by Barrow
Reported with amendments. (13-0) (Regular)

House Bill No. 643, by Erdey
Reported with amendments. (14-0) (Regular)

House Bill No. 663, by Glover
Reported with amendments. (14-0) (Regular)

House Bill No. 868, by Townsend
Reported favorably. (14-0) (Regular)

JOHN ALARIO
Chairman

Report of the Committee on Civil Law and Procedure

June 1, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Civil Law and Procedure to submit the following report:

House Bill No. 273, by Arnold (Joint Resolution)
Reported without amendments. (8-0) (Regular)

House Bill No. 370, by Faucheux (Joint Resolution)
Reported without amendments. (7-0) (Regular)

House Bill No. 573, by Kennard (Joint Resolution)
Reported without amendments. (7-0) (Regular)

Senate Bill No. 48, by Theunissen
Reported favorably. (8-0) (Regular)

Senate Bill No. 151, by N. Gautreaux
Reported with amendments. (9-0) (Regular)

Senate Bill No. 184, by Lentini
Reported favorably. (8-0) (Regular)

Senate Bill No. 212, by Marionneaux
Reported with amendments. (8-0) (Regular)

Senate Bill No. 247, by Mount
Reported favorably. (9-0) (Regular)

GLENN ANSARDI
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Report of the Committee on Commerce

June 1, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Commerce to submit the following report:

House Concurrent Resolution No. 92, by Smith, Gary
Reported favorably. (11-0)

House Concurrent Resolution No. 97, by Thompson
Reported favorably. (11-0)

House Concurrent Resolution No. 135, by Johns
Reported with amendments. (12-0)

House Bill No. 735, by Smiley
Reported with amendments. (10-0) (Regular)

House Bill No. 852, by Pinac
Reported with amendments. (11-0) (Regular)

Senate Concurrent Resolution No. 39, by Ellington
Reported favorably. (11-0)

Senate Concurrent Resolution No. 46, by Ellington
Reported favorably. (11-0)

Senate Bill No. 4, by Gautreaux, Butch
Reported favorably. (12-0) (Regular)

Senate Bill No. 63, by Duplessis
Reported favorably. (12-0) (Regular)

Senate Bill No. 107, by Duplessis
Reported with amendments. (10-0) (Regular)

Senate Bill No. 110, by Smith, Mike
Reported favorably. (13-0) (Regular)

Senate Bill No. 205, by Duplessis
Reported favorably. (10-0) (Regular)

Senate Bill No. 219, by Fontenot
Reported favorably. (12-0) (Regular)

Senate Bill No. 222, by Hollis
Reported favorably. (11-0) (Regular)

Senate Bill No. 238, by Ellington
Reported favorably. (13-0) (Regular)

Page 24 HOUSE

22nd Day's Proceedings - June 1, 2005

Senate Bill No. 292, by Hines
Reported with amendments. (14-0) (Regular)

GIL J. PINAC
Chairman

The above Senate Bills reported favorably or with amendments
were referred to the Legislative Bureau.

Report of the Committee on Environment

June 1, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Environment to submit the
following report:

Senate Concurrent Resolution No. 6, by Schedler
Reported favorably. (6-0)

Senate Concurrent Resolution No. 53, by Fontenot
Reported favorably. (6-0)

Senate Bill No. 188, by Fontenot
Reported with amendments. (6-0) (Regular)

N. J. DAMICO
Chairman

The above Senate Bills reported favorably or with amendments
were referred to the Legislative Bureau.

Report of the Committee on Transportation, Highways and Public Works

June 1, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Transportation, Highways
and Public Works to submit the following report:

House Concurrent Resolution No. 103, by M. Guillory
Reported favorably. (10-0-1)

House Concurrent Resolution No. 122, by Kleckley
Reported favorably. (10-0-1)

House Concurrent Resolution No. 128, by M. Powell
Reported with amendments. (9-0-1) (To be recommitted to the
Committee on House and Governmental Affairs)

House Concurrent Resolution No. 141, by Quezaire
Reported favorably. (11-0-1)

House Concurrent Resolution No. 145, by Cazayoux
Reported favorably. (10-0-1)

House Concurrent Resolution No. 146, by M. Guillory
Reported favorably. (10-0-1)

House Concurrent Resolution No. 148, by Quezaire
Reported favorably. (10-3-1)

House Bill No. 285, by Cravins
Reported with amendments. (10-0-1) (Regular)

Senate Concurrent Resolution No. 66, by Nevers
Reported favorably. (10-0-1)

Senate Concurrent Resolution No. 69, by Theunissen
Reported favorably. (10-0-1)

Senate Bill No. 70, by Kostelka
Reported with amendments. (11-0-1) (Regular)

Senate Bill No. 101, by Boasso
Reported with amendments. (14-0-1) (Regular)

Senate Bill No. 102, by Ellington
Reported favorably. (13-0-1) (Regular)

Senate Bill No. 208, by Heitmeier
Reported favorably. (10-0-1) (Regular)

Senate Bill No. 268, by M. Smith
Reported favorably. (12-0-1) (Regular)

Senate Bill No. 278, by Nevers
Reported with amendments. (13-0-1) (Regular)

ROY QUEZAIRE
Chairman

The above Senate Bills reported favorably or with amendments
were referred to the Legislative Bureau.

Report of the Committee on Ways and Means

June 1, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit
the following report:

House Bill No. 74, by Salter
Reported with amendments. (13-0) (Regular)

House Bill No. 301, by Hammett
Reported with amendments. (14-0) (Regular)

House Bill No. 659, by Beard
Reported favorably. (14-0) (Regular)

House Bill No. 708, by Arnold
Reported with amendments. (12-0) (Regular)

House Bill No. 786, by Salter
Reported with amendments. (14-0) (Regular)

House Bill No. 790, by Bruneau
Reported with amendments. (14-0) (Regular)

House Bill No. 802, by Durand
Reported by substitute. (14-0) (Regular)

BRYANT O. HAMMETT, JR.
Chairman

Privileged Report of the Legislative Bureau

June 1, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the
following report:

Senate Bill No. 19
Reported without amendments.

Senate Bill No. 39
Reported without amendments.

Senate Bill No. 62
Reported without amendments.

Senate Bill No. 92
Reported without amendments.

Senate Bill No. 119
Reported without amendments.

Senate Bill No. 144
Reported without amendments.

Senate Bill No. 149
Reported without amendments.

Senate Bill No. 190
Reported with amendments.

Senate Bill No. 236
Reported without amendments.

Senate Bill No. 237
Reported without amendments.

Senate Bill No. 239
Reported without amendments.

Senate Bill No. 271
Reported without amendments.

Respectfully submitted,
CHARLES MCDONALD
Chairman

Privileged Report of the Committee on Enrollment

June 1, 2005

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 66—

BY REPRESENTATIVES M. POWELL, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT

A RESOLUTION

To express the condolences of the House of Representatives upon the death of Sergeant Robin V. Fell of Shreveport.

HOUSE RESOLUTION NO. 67—

BY REPRESENTATIVE HONEY

A RESOLUTION

To commend Everett Arnold "Buddy" Mason upon his induction into the Southern University Sports Hall of Fame.

HOUSE RESOLUTION NO. 68—

BY REPRESENTATIVE HUNTER

A RESOLUTION

To commend Shirley Wilson Pine for her long-time commitment to the field of education on the occasion of her retirement and to recognize the dedication she exhibited in her tenure with the Monroe City School System.

HOUSE RESOLUTION NO. 69—

BY REPRESENTATIVE GARY SMITH

A RESOLUTION

To express the condolences of the House of Representatives upon the death of Dr. Earl Alleman of Norco.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 1, 2005

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 143—

BY REPRESENTATIVE BRUNEAU

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of former 4th Circuit Court of Appeal Chief Judge William V. Redmann and to recognize his outstanding contributions to the city of New Orleans and the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 144—

BY REPRESENTATIVE MARCHAND

A CONCURRENT RESOLUTION

To recognize June 1, 2005, as Alpha Day at the Legislature of Louisiana and to commend the Alpha Kappa Alpha Sorority, Incorporated and the Alpha Phi Alpha Fraternity, Incorporated for their service.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

Page 26 HOUSE

22nd Day's Proceedings - June 1, 2005

June 1, 2005

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Bills have been properly enrolled:

HOUSE BILL NO. 768—
BY REPRESENTATIVES PIERRE AND GRAY
AN ACT

To amend and reenact R.S. 14:327(A), (B), and (C), relative to obstructing a fireman; to provide for the definition of a fireman; to increase penalties for obstructing a fireman; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Suspension of the Rules

On motion of Rep. Hunter, the rules were suspended to permit the Committee on Labor and Industrial Relations to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 517

House Concurrent Resolution No. 147

Suspension of the Rules

On motion of Rep. Schneider, the rules were suspended to permit the Committee on Retirement to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 519 and 532

Senate Bill Nos. 135 and 231

Suspension of the Rules

On motion of Rep. Karen Carter, the rules were suspended to permit the Committee on Insurance to meet on Thursday, June 2, 2005, without giving the notice required by House Rule 14.24(A) and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 69

Adjournment

On motion of Rep. Kenney, at 6:00 P.M., the House agreed to adjourn until Thursday, June 2, 2005, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Thursday, June 2, 2005.

ALFRED W. SPEER
Clerk of the House

Committee Meeting Notices

Committee on Insurance

Will meet at: 1:30 P.M. Date: June 2, 2005

Location: Committee Room 3

HB 69 TUCKER INSURANCE/AUTOMOBILE Provides for discount for automobile liability insurance for active military personnel paid by a reduction of the premium taxes

KAREN CARTER
Chair

Committee on Judiciary

Will meet at: 10:00 A.M. Date: June 2, 2005

Location: Committee Room 1

HCR 138 SMITH, GARY MILITARY AFFAIRS Memorializes congress to make permanent the increases in Servicemembers' Group Life Insurance coverage and Death Gratuity benefits

HB 455 DORSEY ALCOHOLIC BEVERAGES Requires the labeling of frozen drink dispensing devices to show the trademarked alcohol brands

HB 754 HEBERT ALCOHOLIC BEVERAGES To redefine "package house", to provide for suitability for an alcoholic beverage permit, and to repeal provisions pertaining to pool and billiards playing by minors

SB 35 BARHAM LAW ENFORCEMENT Permits the retention of post-certified qualifications for five years after end of peace officer service. (gov sig)

SB 118 BARHAM MILITARY AFFAIRS Provides with respect to certain rights for employees who are in the uniformed services and called to active duty.

SB 162 HEITMEIER COMMERCIAL REGULATIONS Prohibits price gouging during a named tropical storm or hurricane.

JOSEPH F. TOOMY
Chairman

Committee on Labor and Industrial Relations

Will meet at: 9:30 A.M. Date: June 2, 2005

Location: Committee Room 3

HCR 147 BURNS(TBA) LABOR Urges and requests the Department of Labor to allow for the creation and development of e-learning programs to activities allowed under the incumbent worker training program (**Subject to Rule Suspension**)

HB 517 SCALISE(TBA) WORKERS COMPENSATION Provides for preferred providers alternative rates under workers' compensation (**Subject to Rule Suspension**)

SB 57 DUPLESSIS EMPLOYMENT Requires employers to inform new employees of the federal Earned Income Tax Credit at the time of hire. (gov sig)

SB 118 BARHAM (TBA) MILITARY AFFAIRS Provides with respect to certain rights for employees who are in the uniformed services and called to active duty. **(Subject to Rule Suspension)**

SB 158 DARDENNE CHILDREN Provides for employment contracts by minors to provide artistic or creative services.

WILLIE HUNTER, JR.
Chairman

Committee on Municipal, Parochial and Cultural Affairs

Will meet at: 9:00 A.M. Date: June 2, 2005

Location: Committee Room 6

HB 154 PITRE MUNICIPAL/ORDINANCES Prohibits certain municipalities from enacting ordinances forbidding fishermen or their employees from selling or peddling fish in public places in the municipality

HB 359 JACKSON, M. ECONOMIC DEVEL/COMMUNITY Provides that all types of commercial development may be eligible for tax exemptions and incentives within certain areas of East Baton Rouge Parish and requires hearings and involvement with local groups and associations by the city-parish council prior to approval of contracts by the State Board of Commerce and Industry

HB 481 ARNOLD ASSESSORS Creates funding for the Board of Assessors for Orleans Parish

HB 681 ARNOLD MUNICIPALITIES Repeals provisions authorizing municipalities to levy taxes on motor vehicles

HB 826 ERDEY TAX/LOCAL Authorizes the Livingston Parish governing authority to levy a documentary transaction tax or immovable property transaction fee

SB 45 DUPRE PARISHES Includes Terrebonne Parish assessor within the definition of "equivalent" officer for the purposes of certain actions by parishes and municipalities relative to liens for removal and securing of dangerous structures. (gov sig)

SB 79 DUPRE VETERANS Creates board of commissioners to serve as governing authority of Veterans' Memorial District of Ward 10 of Lafourche Parish.

SB 83 GAUTREAUX, N. SPECIAL DISTRICTS Creates the public housing rehabilitation program for low income and refurbished housing for the parishes of Acadia, Vermilion, St. Landry and Lafayette. (gov sig)

SB 90 NEVERS SPECIAL DISTRICTS Creates the Tangipahoa Parish Economic Development District. (gov sig)

SB 97 CRAVINS MUNICIPALITIES Provides with respect to municipal annexations in St. Landry Parish. (gov sig)

SB 313 MARIONNEAUX ECONOMIC DEVELOPMENT Establishes the East Feliciana Parish Economic Development District. (gov sig)

SB 327 JONES LOCAL AGENCIES Authorizes an increase in per diem for the Madison Parish Hospital Service District Board of Commissioners. (gov sig)

SB 330 GAUTREAUX, N. MUNICIPALITIES Provides for disciplinary action by the chief of police in Carencro. (gov sig)

SB 332 GAUTREAUX, N. SPECIAL DISTRICTS Increases the membership of the board of commissioners of the Southeast Waterworks District No. 2 of Vermilion Parish.

SB 348 CRAVINS SPECIAL DISTRICTS Creates the Opelousas Downtown Development District. (gov sig)

APPROVAL OF MINUTES: (TBA) 2003-2004 INTERIM (Subject to Rule Suspension)

**2004 FIRST EXTRAORDINARY SESSION
2004 REGULAR SESSION**

ERNEST BAYLOR, JR.
Chairman

Committee on Retirement

Will meet at: 9:30 A.M. Date: Thursday, June 2, 2005

Location: Committee Room 4

HB 380 ARNOLD RETIREMENT/STATE SYSTEMS Continues requirement that state retirement systems direct ten percent of trades through broker-dealers located in the state and ten percent through those incorporated and domiciled in the state

HB 457 DURAND RETIREMENT/STATE EMPs Increases the employee contributions of adult probation and parole officers and provides for a higher accrual rate for certain such officers

HB 478 HEATON RETIREMENT/JUDGES - CT OFF Provides for cost-of-living adjustments for judges and surviving spouses of judges who did not opt to become members of the retirement system

HB 519 MCVEA (TBA) SCHOOLS/BOARDS Provides for equal allocation of ad valorem taxes remitted to the Teachers' Retirement System from East Baton Rouge Parish among local school systems in the parish **(Subject to Rule Suspension)**

HB 532 CURTIS (TBA) RETIREMENT/MUNICIPAL POL Authorizes a one-time supplement for retirees **(Subject to Rule Suspension)**

HB 682 GEYMANN RETIREMENT/STATEWIDE SYS Relative to contributions for the Municipal Employees' Retirement System (MERS), the Municipal Police Employees' Retirement System (MPERS), and the Firefighters' Retirement System (FRS)

HCR 81 CROWE SOCIAL SECURITY SYS Requests congress to support no increases in payroll taxes, no cuts to Social Security benefits, and optional Social Security Personal Retirement Accounts

SB 135 DARDENNE (TBA) STATE EMPLOYEE RET Changes the eligibility for survivors benefits and retirement for new members of LASERS. (gov sig) **(Subject to Rule Suspension)**

SB 231 ADLEY (TBA) RETIREMENT SYSTEMS Authorizes employer of a member of a public retirement system to purchase credit for military service of the member. (gov sig) **(Subject to Rule Suspension)**

MATTHEW P. SCHNEIDER III
Chairman

Weekly Committee Schedules

The following committees posted weekly committee schedules as follows:

Committee on Administration of Criminal Justice

Tuesday, June 7, 2005
Committee Room No. 6
9:30 A.M.

INSTRUMENTS TO BE HEARD:

- HB 39 SMITH, JACK GAMBLING/VIDEO POKER** Amends video draw poker provisions relative to suitability and licenses
- HB 516 GRAY CHILDRENS CODE** Provides for children of certain parishes placed under the care of the office of youth services
- HB 523 BURRELL CRIME** To create the crime of unlawful sale or distribution of video games containing material which is harmful to minors
- SCR 23 JACKSON, L. INDIGENT DEFENSE** Continues and provides for the Louisiana Task Force on Indigent Defense Services.
- SB 24 CAIN CONTROL DANGER SUBSTANCE** Provides relative to the sale or possession of certain substances used to manufacture methamphetamine.
- SB 156 CHAISSON CRIME/PUNISHMENT** Creates the Anti-Skimming Act.
- SB 157 CHAISSON DWI** Provides with respect to criminal penalties for third, fourth, and subsequent DWI offenses.
- SB 226 GAUTREAUX, N. CRIME/PUNISHMENT** Increases penalties for illegal manufacture, possession or distribution of oxycodone.
- SB 323 JACKSON, L. COURTS** Provide for changes to judicial district indigent defender boards and the Indigent Defense Assistance Board.

DANIEL R. MARTINY
Chairman

Committee on Appropriations

Monday, June 6, 2005
Committee Room No. 5
9:30 A.M.

INSTRUMENTS TO BE HEARD:

- HB 169 TUCKER APPROPRIATIONS** Appropriates funds to provide for reimbursement of legal expenses of Alan J. LeVasseur, as recommended by the Attorney Fee Review Board
- HB 210 FANNIN PURCHASING/PUB BID LAW** Authorizes public entities to purchase certain items through the U.S. Communities Government Purchasing Alliance

HB 244 WALSWORTH PUBLIC SFTY/CORRECT DEPT Requires annual salary schedule of state police to be prepared by superintendent and provides for scope of review and implementation of recommendations concerning such schedule

HB 352 CROWE PROBATION Provides relative to the Sex Offender Registry Technology Fund

HB 407 TUCKER RACING/REVENUES Provides for dedication of revenues from slots at the track

HB 628 QUEZAIRE PROCUREMENT Creates the Louisiana Initiative for Small Entrepreneurships

HB 796 MORRELL SCHOOLS Provides for the effectiveness of legislation providing for the creation of the Northeast Louisiana Delta Learning Center

SCR 7 FIELDS PUBLIC BUILDINGS/GROUNDS Provides for legislators and permanent legislative staff to enter a state office building with legislative identification badges.

SCR 14 JONES SCHOOLS Requests the state to determine the best interest of the state regarding ownership of the former Swanson center at Tallulah and to take whatever action facilitates that interest subject to the approval of the budget committee.

SB 44 LENTINI ADMINISTRATION DIVISION Requires the Joint Legislative Committee on the Budget to approve certain vehicle purchases for use by statewide elected officials except the governor and lieutenant governor. (7/1/05)

SB 132 MCPHERSON PUBLIC PROPERTY Provides for accountability to members of the legislature for state resources committed to private persons in certain cooperative endeavors or as it relates to litigation settlements. (1/1/06)

SB 185 CRAVINS GROUP INSURANCE Permits certain certified professional staff in office of youth services and the Special School District with 20 or more continuous years of participation in the group insurance offered by the former employing local school system to qualify for a state contribution of 75% of health insurance premiums upon retirement.

SB 187 DUPRE COASTAL RESOURCES Constitutional amendment to provide that certain federal revenues received by the state generated from Outer Continental Shelf oil and gas activity shall be credited to the Wetlands Conservation and Restoration Fund and used only for certain purposes. (2/3 - CA13s1(A))

SB 195 DUPRE COASTAL RESOURCES Provides for deposit into Wetlands Conservation and Restoration Fund and uses of certain federal revenues generated from Outer Continental Shelf oil and gas activity.

SB 218 DUPRE PUBLIC PROPERTY Provides for the acquisition of surplus computer equipment by certain public educational institutions. (gov sig)

SB 270 MCPHERSON MEDICAID Provides for the Medicaid program to develop a program to expand coverage to certain low-income uninsured through a Medicaid waiver.

SB 286 DARDENNE FUNDS/FUNDING Requires legislative approval of certain cooperative endeavor agreements.

JOHN ALARIO
Chairman

Committee on Education

Tuesday, June 7, 2005
Committee Room No. 1
9:00 A.M.

INSTRUMENTS TO BE HEARD:

- HB 488 GUILLORY, E. ATHLETICS** Provides that certain persons meeting specified requirements for registration with the La. High School Athletic Association as sports contest officials for high school athletic events shall not be required annually to take and pass certain tests
- HB 540 JEFFERSON SCHOOLS** Relative to public elementary and secondary school policies prohibiting the harassment, intimidation, and bullying of a student by another student, further defines such terms and requires all local public school boards to include such policies in student codes of conduct
- HB 613 BURNS SCHOOLS/CHOICE** Establishes the Vouchers for Students in Failing Schools Pilot Program in certain parishes
- HB 723 CARTER, K. SCHOOLS/BOARDS** Provides relative to the powers, duties, and responsibilities of local school boards and superintendents when a city, parish, or other local public school system is academically in crisis
- SB 256 MOUNT TUITION** Provides a college scholarship for a child whose parent was killed as a result of service in certain theaters of military operation.
- SB 65 KOSTELKA SCHOOLS** Authorizes the Ouachita Parish School Board to name an athletic facility at the former Calhoun High School in honor of Jerry Lee Lovett, Sr. (gov sig)

CARL CRANE
Chairman

Committee on Health and Welfare

Tuesday, June 7, 2005
Committee Room No. 5
9:00 A.M.

INSTRUMENTS TO BE HEARD:

- HR 48 THOMPSON NURSING HOMES** Provides relative to nursing home bed abeyance policies
- HCR 108 DURAND PRESCRIPTION** Urges and requests DHH to develop and implement a bid process and, where applicable, a rebate process for generic drugs that the state uses for the Medicaid drug program
- HCR 130 BEARD HEALTH/DHH** Requests the Department of Health and Hospitals to take steps to facilitate donation of blood from umbilical cords for the extraction of stem cells
- HCR 133 DURAND HEALTH** Directs the Louisiana Emergency Response Network Board to establish up to nine regional commissions and begin working on the medical protocols for patient care as well as begin the framework for patient care data collection

- HB 242 CROWE ABORTION** Provides for mandatory professional counseling in all cases when an abortion is sought
- HB 734 GUILLORY, M. ELDERLY** Requires federal criminal history checks and elder abuse training for nonlicensed persons and licensed ambulance personnel
- HB 774 JACKSON, M. HEALTH CARE/RECORDS** Creates the Health Care Consumer's Right to Know Act
- SCR 5 AMEDEE HEALTH CARE** Requests LSU Health Sciences Centers and Tulane Medical Center to work with Aneurysm Outreach Inc., to create a free statewide abdominal aortic aneurysm screening program for those most at risk.
- SCR 15 JONES HEALTH/HOSPITALS DEPT** Requests the department to assist in the development of a plan to establish the Louisiana Cancer Patient's Residential Facility.
- SCR 48 JONES HEALTH/HOSPITALS DEPT** Urges DHH to study the process of assigning persons with developmental disabilities to agencies statewide.
- SCR 64 SCHEDLER NURSES** Provides for a study of the feasibility of joining the Nurse Licensure Compact.
- SCR 65 SCHEDLER HEALTH SERVICES** Re-authorizes the Louisiana Public Mental Health Review Commission.
- SB 124 CHEEK HEALTH/HOSPITALS DEPT** Removes the July, 2005 implementation date for a new disproportionate share payment methodology, makes the date six months after approval, and extends the Commission on HIV, AIDS, and Hepatitis C.
- SB 155 CHAISSON SOCIAL SERVICES DEPT** Allows DSS to promulgate rules with committee input and to take additional action with regard to child care facility licenses. (gov sig)
- SB 161 AMEDEE CHILDREN** Terminates voluntary relative placement of children without court supervision.
- SB 189 BROOME HEALTH SERVICES** Provides for disclosure by those who provide information or recommend food, dietary supplements and homeopathic remedies.
- SB 223 HOLLIS PHYSICIANS** Allows a professional medical corporation to include the practice of podiatry.
- SB 230 SCHEDLER HEALTH/HOSPITALS DEPT** Provides relative to pain management clinics.
- SB 243 MOUNT CHILDREN** Provides definition of "neglect" relative to child in need of care.
- SB 245 SCHEDLER HEALTH/HOSPITALS DEPT** Provides for licensing of and a moratorium on facilities known as pain management clinics.
- SB 272 MCPHERSON NURSING HOMES** Revises moratorium on nursing home licenses and allows Department of Health and Hospitals to promulgate applicable rules.

SYDNIE MAE DURAND
Chairman

Committee on House and Governmental Affairs

**Tuesday, June 7, 2005
Committee Room No. 2
9:00 A.M.**

INSTRUMENTS TO BE HEARD:

- HB 40 PITRE ELECTIONS/CONGRESSIONAL** Provides for election to the office of U.S. representative and U.S. senator only at a general election
- HB 317 LAFONTA DISCRIMINATION** Provides with respect to discrimination in the workplace
- HR 31 TUCKER HOUSE/RULES** Requires the question of consideration of a conference committee report to lie over until the next legislative day with certain limited exceptions
- HR 40 HEBERT HOUSE/RULES** Requires the approval of a majority of the elected members of the House to adopt the motion to end consideration of amendments
- HR 41 HEBERT HOUSE/RULES** Requires the approval of a majority of the elected members of the House to adopt the motions for the previous question and the previous question on the entire subject matter
- HR 45 HEBERT HOUSE/RULES** Provides that the motion for final passage or to adopt a conference committee report on the Capital Outlay Bill is not in order under certain circumstances
- HR 70 HEBERT HOUSE/RULES** Provides that the motions for the previous question and for the previous question on the entire subject matter are out of order under certain circumstances
- HCR 142 LAFONTA INSURANCE/HEALTH** Creates a study commission on funding a single-payer health insurance system for the state
- HCR 114 MARTINY GAMBLING** Requests the Louisiana State Law Institute to review and recommend revisions to Title 27 of the Louisiana Revised Statutes of 1950
- SB 53 FIELDS ELECTION CODE** Provides for the election of members of congress at the general election. (1/1/06)
- SB 215 BARHAM STATE DEPARTMENT** Includes the Aviation and Military Museum of Louisiana, Inc., in the Department of State.
- SB 20 MICHOT LEGIS POWERS/FUNCTIONS** Revises provisions for distribution of reports to the legislature and adds compliance with distribution procedures as an element for audit by the legislative auditor.
- SB 160 AMEDEE SOCIAL SERVICES DEPT** Provides relative to the confidentiality of the Department of Social Services case records. (gov sig)
- SB 186 BOASSO CAMPAIGN FINANCE** Prohibits any elected official from receiving campaign contributions from any entity doing business with any state or statewide retirement systems.

SB 82 DARDENNE ETHICS Eliminates the authorization of elected officials to accept cultural and sporting events as gifts.

SB 58 DUPLESSIS SCHOOLS Remove prohibitions against certain elected officials from campaigning regarding positions on the Orleans Parish School Board.

SCR 76 DARDENNE LEGIS POWERS/FUNCTIONS Creates the Surplus Food Purchasing Task Force to study the feasibility of creating a Louisiana agricultural and seafood surplus products purchase program and a purchasing board to oversee the program.

OTHER BUSINESS:

Committee oversight: Action on rules proposed by Board of Ethics relative to Executive Branch Lobbying

CHARLES D. LANCASTER, JR.
Chairman

LEGISLATIVE INSTRUMENTS MAY BE DELETED (DOES NOT REQUIRE HOUSE RULES SUSPENSION) OR ADDED (REQUIRES HOUSE RULES SUSPENSION) PRIOR TO THE MEETING DATE. (HOUSE RULES 14.23 AND 14.24) SEE THE DAILY NOTICE OF COMMITTEE MEETINGS POSTED PRIOR TO MEETING DATE.